



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,698	06/12/2001	Srinivas Gutta	701613	3765

24737 7590 09/04/2003

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

LAI, ANNE VIET NGA

ART UNIT	PAPER NUMBER
----------	--------------

2636

DATE MAILED: 09/04/2003

✓

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/879,698

Applicant(s)

GUTTA ET AL.

Examiner

Anne V. Lai

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 09 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lemelson** [US.6,553,130] in view of **Kakinami** [US.5,892,855]

Regarding claim 1, **Lemelson** discloses a system to assist driver of a (secondary) vehicle to detect and identify an approaching vehicle (abstract, fig.1 and col.5, lines 30-59) comprising at least a video camera (plurality of video scanners, claim 12) and a display device mounted on the (secondary) vehicle.

Since **Lemelson** system can identify the type of approaching objects or vehicles, it is obvious that the system can be set up to identify the approaching vehicle is an emergency/law enforcement vehicle. Although **Lemelson** does not specifically disclose the camera support and control system, the camera steering control is well known. **Kakinami** teaches an apparatus for detecting a vehicle located ahead of a (secondary) vehicle using plural cameras with control and steering mechanism (pan, tilt) to provide enhance view of the detected vehicle.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the **Lemelson** and **Kakinami** vehicle system to identify

Art Unit: 2636

an approaching vehicle is an emergency/law enforcement vehicle and to control the steering (tilt, pan, zoom) of the camera to display an enhanced view of the detected approaching vehicle.

Regarding claim 2, **Kakinami** shows the camera steering (tilt, pan) mechanism is operatively connected to the camera.

Regarding claim 3, **Lemelson** discloses a plurality of video scanners directed in different directions (forward, rearward, claim 12). It is obvious that the camera control and steering mechanism taught by **Kakinami** could be used in the combined **Lemelson** and **Kakinami** system to control the steering of the plurality of video scanners or cameras.

3. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lemelson** and **Kakinami** in view of **Lee** [US.5,680,123]

Regarding claim 4, the combined **Lemelson** and **Kakinami** system having means to display image of the approaching vehicle but does not specifically disclose a selection means for selecting the display of video image data. **Lee** shows a vehicle monitoring system comprising a plurality of video cameras facing forward, rearward and sideward (abstract and column 6, line 6) and a selective display means with switches to select different viewing modes and functions (column 5, lines 62-67, column 6, lines 1-6),

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use the selective display shown by **Lee** to the combined **Lemelson** and **Kakinami** vehicle tracking and identification system to selectively display the view of the forward or rearward facing camera.

Regarding claim 5, **Lee** vehicle monitoring system can display together the view of at least two cameras using a split screen display format, and a display touch screen is used to selectively display the image viewed by the forward or rearward facing camera.

4. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lemelson, Kakinami and Lee** in view of **Hogan** [US.5,657,246].

Regarding claim 7, **Lemelson, Kakinami and Lee** do not disclose controlling the tilt, pan or zoom of the camera by touching a display area or using a speech recognition and command system. **Hogan** (fig.9, col.3, lines 65-67, col.4, lines 1-7 and lines 57-67) shows the controlling of the camera could be perform by various input devices including voice recognition and touch screen display.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement the camera control function of Morgan to the combined vehicle tracking system of **Lemelson, Kakinami and Lee** to provide the user a preference choice to control the camera.

5. Claims 8, 10-14, and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lemelson and Kakinami** in view of **Brady** [US.5,761,326]

Regarding claim 8, **Lemelson and Kakinami** discloses vehicle detecting, identifying and tracking by controlling the steering (tilt, pan) mechanism. **Brady** teaches vehicle classification and tracking having an identification means for indicating on the display the portion that contains

Art Unit: 2636

the tracked vehicle (unique assigned icon for each classified vehicle, 72, 76 in fig.9, sheet 5, column 9, lines 63-67, column 10, lines 1-9).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use the display technique taught by **Brady** in the combined **Lemelson** and **Kakinami** vehicle system for detecting, tracking a specific class of vehicle (emergency/law enforcement vehicle) by controlling the steering of cameras and using unique icon identification for indicating the portion of display surface which contains the vehicle to be tracked.

Regarding claim 10, the combined **Lemelson**, **Kakinami** and **Brady** system comprising means for classifying and indicating a particular class of vehicle (emergency/law enforcement) on the display, and means for tracking the particular class of vehicle by controlling the steering of the cameras support mechanism.

Regarding claims 11-13, the combined **Lemelson**, **Kakinami** and **Brady** system comprising means for audible and visual alerting the user of the (secondary) vehicle that a particular class of vehicle has been identified in the video image data (**Brady** icons 72 and 76 in fig.9, and **Lemelson** abstract).

Regarding claim 14, the combined **Lemelson**, **Kakinami** and **Brady** system comprising a camera and a display surface mounted inside the secondary vehicle, a tracking means for tracking an identified vehicle displayed on the display surface, and an identification means for indicating a particular class of vehicle to be tracked (**Brady** icons 72 and 76).

Regarding claim 16, the combined **Lemelson**, **Kakinami** and **Brady** system comprising a steering mechanism (at least one of the pan, tilt and zoom motor) operatively connected to at

Art Unit: 2636

least one camera for tracking and providing an enhanced view of a particular vehicle on the displayed surface.

Regarding claim 17, the combined **Lemelson**, **Kakinami** and **Brady** system discloses an apparatus for detecting an approaching of a particular vehicle (emergency/law enforcement) from a secondary vehicle comprising at least one camera, a display surface, a classification means for classifying and identifying those of the classified vehicle; and a tracking means for tracking the particular identified vehicle in the video image data.

Regarding claim 18, **Kakinami** discloses a vehicle tracking means connected to at least one of a pan, tilt, and zoom mechanism for controlling the camera and providing an enhanced view of the target vehicle on the display.

Regarding claim 19, **Lemelson** (abstract) and **Brady** (col.4, lines 5-7) disclose means for alerting the driver of a vehicle when an incident has been detected. Although **Lemelson** and **Brady** do not specifically disclose the incident is the approaching of an emergency/law enforcement vehicle, however it is obvious that this particular incident could be defined by the system.

Regarding claims 20-21, the combined **Lemelson**, **Kakinami** and **Brady** system disclose audio and visual alarms operative connected to one of the classification or tracking means.

6. Claims 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lemelson, **Kakinami** and **Brady** in view of **Lee**.

Art Unit: 2636.

Regarding claims 9 and 15, **Brady** provides a unique assigned icon for each identified class of vehicle on the image display, **Lee** provides a touch screen display for the user to select the image to be displayed.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to set up a display function using icon, the user could select a specific class of vehicle to be displayed by touching on a specific icon on the display surface.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Knecht discloses an automatic classification of images. [US.4,881,270]

Waters discloses a situation awareness system. [US.6,396,535]

Breed discloses vehicular blind spot identification and monitoring system. [US.2002/0005778]

Koyanagi discloses a tracking apparatus and method. [US.6,323,898]

Nasburg discloses a traffic surveillance and simulation apparatus. [US.5,801,943]

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne V. Lai whose telephone number is 703-305-7925. The examiner can normally be reached on 8:30 am to 6:00 pm, Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass Jeffery can be reached on 703-305-4717. The fax phone numbers for the


Art Unit: 2636

organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4800.

AVL

A. V. Lai
August 18, 2003


JEFFERY HOFSSASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600